

SENATE BILL REPORT

SB 6368

As of February 4, 2020

Title: An act relating to sick leave for K-12 employees.

Brief Description: Concerning sick leave for K-12 employees.

Sponsors: Senators Nguyen, Lovelett, Darneille, Stanford, Das, Dhingra, Hunt, Saldaña and Wilson, C.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/29/20, 2/03/20.

Brief Summary of Bill

- Removes limits on the maximum amount of sick leave a school district employee may accumulate or use for the purposes of unused-leave compensation.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Benjamin Omdal (786-7442)

Background: Paid Sick Leave. Every employer in Washington State must provide paid leave for illness, injury, and emergencies (sick leave) to each of its employees. An employee may use paid sick leave for the following reasons:

- an absence resulting from an employee's mental or physical illness, injury, or health condition; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care;
- to allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care;
- when the employee's place of business has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason; and

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- for absences that qualify for leave under the state's existing Domestic Violence Leave Act.

Sick Leave for Educational Employees. School districts are required to provide sick leave at the following rates:

- at least ten days for employees under contract for a full year;
- at a ten-day-per-year rate for part-time employees; and
- for certificated and classified employees, at a rate not to exceed twelve days per year.

Sick leave provided to district employees must accumulate from year to year, up to either a maximum of 180 days or the number of contract days agreed to in a given contract, but not greater than one year. Accumulated sick leave may be taken at any time during the school year.

Employee Attendance Incentive Program. School districts may establish policies that allow for eligible employees to receive remuneration for unused sick leave, equal to one day's monetary compensation for each four full days of accrued sick leave. Employees must have obtained a minimum accrual of 60 days of sick leave in the prior year, and may not receive compensation for any portion of leave accumulated at a rate in excess of one day per month. Up to 12 days of accrued sick leave may be used per year.

Upon separation from school district employment, an eligible employee shall receive remuneration at a rate equal to one day's current monetary compensation for each four full days of accrued sick leave.

Summary of Bill: The bill removes the maximum limits on the amount of sick leave a district employee may accumulate, including the maximum days that may be used under the employee attendance incentive program.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Current policies limit the amount of leave that employees are able to share with each other. Removing the maximums align the system for K-12 employees with that of other state employees. Many employees wish to share greater leave, but are unable to because they do not have the accumulated leave. Uncapped amounts will incentivize attendance due to the retirement benefits. Raising limits would give classified employees better peace-of-mind in case they have unanticipated medical expenses.

CON: There would be an additional cost to districts, as the cash-outs occur by experienced teachers when they have higher salaries. Some districts do not have the resources to keep up with increases in leave cash-outs.

OTHER: There is a disconnect between the funding of districts and the level of benefits that they receive.

Persons Testifying: PRO: Senator Joe Nguyen, Prime Sponsor; Julie Salvi, Washington Education Association; Alan Burke, Washington State School Retirees' Association; Donna Burgess, Manson School District.

CON: Marcus Morgan, Superintendent, Reardan-Edwall School District.

OTHER: Brian Sims, Washington State School Directors Association.

Persons Signed In To Testify But Not Testifying: No one.